# Form-A

## FORM OF ORDER SHEET

Court of\_

## 921/2024

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge		
.1	- 2	3		
1	20/8/2024	The instant Execution petition presented today by		
Τ·		Afrasyab Wazir Advocate, may be entered in the relevant		
		register and put up to the Court for proper order please. This		
	÷	restoration application is entrusted to S. Bench at Peshawar to		
· -	• • • • ·	be put up there on 10/9/2024.		
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## BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

EXECUTION PETITION NO. 921/2024 In appeal No.1265/2022

## Mst Farzana Begum

.....VS......

## Health Deptt:

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PETITIONER

THROUGH:

## AFRASIAB KHAN WAZIR ADVOCATE HIGH COURT

Office: ROOM NO. B-16, GOVT COLLEGE CHOWK, NIMRA PLAZA, PESHAWAR. CELL: 0312-9888752

## BEFORE THE KHYBER PAKHUNKHWA SERVICE TRIBUNAL PESHAWAR

Execution petition No.  $7^{U1}$  /2024

#### In Appeal No. 1265/2022

Mrs. Farzana Begum, Lady Health Worker, BHU GMK Khel, District Karak.

.....PETITIONER.

vice Tribun;

#### VERSUS

- 1- The Secretary Health, Khyber Pakhtunkhwa, Peshawar.
- 2- The Director General Health, Khyber Pakhtunkhwa, Peshawar.
- 3- The Provincial Coordinator LHW Program Khyber Pakhtunkhwa, Peshawar.
- 4- The District Health Officer, District Karak.
- 5- The District Accounts Officer, District Karak.

#### .....RESPONDENTS.

## EXECUTION PETITION FOR DIRECTING THE RESPONDENTS TO IMPLEMENT THE JUDGMENT/ORDER DATED 16.05.2024 IN THE ABOVE TITLED APPEAL IN LETTER AND SPIRIT

#### **R/SHEWETH:**

- 1- That the above mentioned appeal has been decided by this August Service Tribunal vides judgment/order dated 16.05.2024 in favor of the Petitioner.
- 2- That the petitioner filed the appeal against not allowing/granting conveyance allowance to the Petitioner which is thereby decided by the Tribunal vide Order dated 16/05/2024 with the direction reproduced as under;

"Learned Counsel for the Appellant produced copies of some pay slips of different Districts, wherein, the Civil Servants of same posts were getting conveyance allowance under the Account Head 1210. The Learned Deputy District Attorney was confronted with the same. However, a consensus was developed that let the matter be remitted to the Respondents to look into case of Appellants by comparing the same with the pay slips which are placed on file today and extend similar treatment if the other similarly placed Civil Servants are getting that and if not, a detailed Order shall be passed within 60 days. Disposed off accordingly.Consign". Copy of Judgment/Order dated 16.05.2024 is attached as annexure......A.

3- That the petitioner repeatedly knocked the door of the Respondents and moved Application for the same for implementation of the aforementioned judgment/order but they are not paying heed to it nor implementing the same. (Copy of Application is attached as annexure B)

It is therefore, most humbly prayed that on acceptance of this execution petition the respondents may please be directed to execute the judgment/order dated 16.05.2024 in letter and spirit.

Dated:

THROUGH:

# SALMAN KHAN WAZIR ADVOCATE HIGH COURT

**AFRASIAB** 

&

PETITIONER

Mrs. Farzana Begum

AN WAZIR

#### <u>AFFIDAVIT:</u>

I, Mrs. Farzana Begum, Lady Health Worker, BHU GMK Khel, District Karak , do hereby solemnly affirm and declare that the content of the execution petition is true and correct to the best of my knowledge and belief and nothing has been concealed from this August Tribunal so far.



#### **CERTIFICATE:**

That no other execution petition has been filed between the parties before this August tribunal.

Service Appeal No. 1308/2022 titled "Mrs. Musarrat Shaheen Vs. The Secretary Health," Khyber Pakhtunkhwa, Peshawar and others".

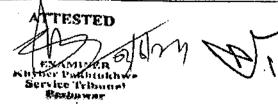
ORDER 16<sup>th</sup> May, 2024 Kalim Arshad Khan, Chairman: Through this single order, this appeal



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and all the following connected 36 appeals are being decided together as all are of similar nature. Detail of the connected Appeals, is as under:-

	S.No.	Service Appeal Nos.	Titled
	1.	1258/2022	Ms. Niloo Far
	2.	1259/2022	Mrs. Bibi Nowreen
	3.	1260/2022	Mrs. Amna Bibi
	4.	1261/2022	Mrs. Akhtar Shamim
	5.	1262/2022	Mrs. Nasreen Begum
	6.	1263/2022	Mrs. Abas Bano
	7.	1264/2022	Mrs. Smeena Bibi
	27 (8.)	1265/2022	Mrs. Farzana Begum
2	2/ <del>.</del>	1266/2022	Mrs. Hussan Bano
	10.	1267/2022	Mrs. Bibi Tahira
	11.	1268/2022	Mrs. Nusrat Bibi
	12.	1269/2022	Mrs. Zulfan Bano
	13.	1270/2022	Mrs. Abbas Begum
	14.	1271/2022	Mrs. Qudrat Bibi
	15.	1272/2022	Mrs. Nassar Bano
	16.	1273/2022	Mrs. Zubaida Akhtar
	17.	1274/2022	Mrs. Nasreen Bibi
	18.	1275/2022	Mrs. Noor Taj Men
	19.	1309/2022	Mrs. Kousar Bibi
	20.	1310/2022	Mrs. Ulfat Jehan
	21.	1311/2022	Mrs. Naser Khana
	22.	1312/2022	Mrs. Tasleem Begum
	23.	1313/2022	Mrs. Saira Khatoon
	24.	1314/2022	Mrs. Zeenat Begum
	25.	1315/2022	Mrs. Manawara Jahan
	26.		Mrs. Mchnaz Begum
	27.		Mrs. Farhat Bano
	28.		Mrs. Naheed Akhtar
	29.	1319/2022	Mrs. Zafran Bibi
	30.	1320/2022	Mrs. Khan Mehbooba
	31.	1321/2022	Mrs. Abbas Bibi
	32.	1322/2022	Mrs. Nusrat Parveen
	33.	1323/2022	Mrs. Zakia Bibi
	34.	1324/2022	Mrs. Naheed Akhtar
	35	1325/2022	Mrs. Rizwana
	36	1326/2022	Mrs. Shahida Parveen
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 Learned counsel for the appellants present. Mr. Shafi Ullah, Focal Person and Mr. Niaz Muhammad, Senior Clerk alongwith Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.
 Prayer of all the appellants in these cases is the same, that on acceptance of these appeals, the respondents might be directed to allow/grant conveyance allowance at par with colleagues of other districts of the Lady Health Workers with all back benefits.

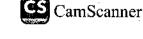
4. Learned counsel for the appellant produced copies of some pay slips of different Districts, wherein, the civil servants of the same posts were getting conveyance allowance under the Account Head 1210. The learned Deputy District Attorney was confronted with the same. However, a consensus was developed that let the matter be remitted to the respondents to look into the case of the appellants by comparing the same with the pay slips which are placed on file today and extend similar treatment if the other similarly placed civil servants are getting that and if not, a detailed order shall be passed within 60 days. Disposed of accordingly. Consign.

3. Pronounced in open court at Peshawar and given under our hands and seal of the Tribunal on this  $16^{th}$  day of May, 2024.

TESTED (Kalim Arshad Khan) (Rashida Bano) 马鞍的 Cribuinal Chairman Member (Judicial) Date of Presentation of Application. 12 Number of Words \_2 -Copying Fee. Urgent

Name of Copyline Date of Complection of Copy Date of Delivery of Copy

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The Director General health,

Khyber Pakhtunkhwa, Peshawar.

Subject: application for implementation of the order date 16.05.2024 of the Service Tribunal.

#### **Respected sir**,

To.

Respectfully sir, I had filed service appeal before the service tribunal appeal no. 1265/2022 which is decided as the "Learned Counsel for the Appellant produced copies of some pay slips of different Districts, wherein, the Civil Servants of same posts were getting conveyance allowance under the Account Head 1210. The Learned Deputy District Attorney was confronted with the same. However, a consensus was developed that let the matter be remitted to the Respondents to look into case of Appellants by comparing the same with the pay slips which are placed on file today and extend similar treatment if the other similarly placed Civil Servants are getting that and if not, a detailed Order shall be passed within 60 days. Disposed off accordingly.

But till dated no order is passed by the health department and other districts are taking conveyance allowance i.e ladv health workers.

So it requested you sir, please grant us conveyance allowance being similarly placed employee as other district lady health workers are taking conveyance allowance.

W/O Saeed Farzana Begun Ur Rehman

Lady Health Worker, BHU GMK khel Karak.

## POWER OF ATTORNEY/VAKALATNAMA

<u>BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,</u> <u>PESHAWAR</u>

#### Farzana begum

#### VERSUS

#### health DEPTT

Appeal No. \_\_\_\_-P/2024

#### On behalf of Petitioner/Appellant No.

I/ we the petitioners/appellant hereby appoint Mr. Afrasiab Khan Wazir Advocate in the above-mentioned case, to do all or any of the following acts, deeds things.

- 1. To appear, act, sign, record Statement and plead for me/us in the above-mentioned case in this court /Tribunal or any other Court /Tribunal in which the same may be tried or heard, and other proceedings arising out of or connected therewith.
- 2. To sign, verify compromise and file or withdraw all proceedings, petitions, appeals, affidavits, and any other documents, as may be deemed necessary of advisable by them for the conduct, prosecution or defense of the said case at its stages.
- 3. To receive payments of, and issue receipts for, all money that may be or become due and payable to us during the course or on the conclusion of the proceedings.
- 4. To do all other acts and things which may be deemed necessary or advisable during the proceedings.

#### AND HEREBY AGREE:

- a. To ratify whatever the said advocate may do in the proceedings.
- b. Not to hold the Advocate responsible if the said case be proceeded ex-parte or dismissed in default in consequence of absence from the Court/Tribunal when it is called for hearing.
- c. An advocate shall not be responsible for any concealment, fraud, misrepresentation made by the client before any tribunal, court or forum.
- d. That the Advocate shall be entitled to withdraw from the prosecution of the said case if the whole or any part of the agreed fees remains unpaid.

In witness whereof, I/We have signed this power of Attorney/ Vakalatnama hereunder, the contents of which have been read/ explained to me/us and fully understood by me/ us.

Terms Accepted Accepted Attested Afrasiab Khan Wazir & Salman Khan Wazir L Malik Asif Haroon (Adv District Courts Advocates Peshawar High Court, Peshawar. Office:

Room No. B-16, Govt College Chowk, Nimra Plaza, Peshawar. Cell: 0312-9888752.

## BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

EXECUTION PETITION NO.\_\_\_\_/2024 In appeal No.1265/2022

#### Mst Farzana Begum

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PETITIONER

THROUGH:

KHAN WAZIR

## AFRASIAB KHAN WAZIR ADVOCATE HIGH COURT

Office: ROOM NO. B-16, GOVT COLLEGE CHOWK, NIMRA PLAZA, PESHAWAR. CELL: 0312-9888752

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It is therefore, most humbly prayed that on acceptance of this execution petition the respondents may please be directed to execute the judgment/order dated 16.05.2024 in letter and spirit.

Dated:

THROUGH:

# SALMAN KHAN WAZIR

PETITIONER

Mrs. Farzana Begum

#### AFFIDAVIT:

I, Mrs. Farzana Begum, Lady Health Worker, BHU GMK Khel, District Karak , do hereby solemnly affirm and declare that the content of the execution petition is true and correct to the best of my knowledge and belief and nothing has been concealed from this August Tribunal so far.

**CERTIFICATE:** 

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DEPONENT.

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<u>ORDER</u> 16<sup>th</sup> May, 2024

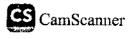
Kalim Arshad Khan, Chairman: Through this single order, this appeal and all the following connected 36 appeals are being decided together as



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	34.	1324/2022	Mrs. Naheed Akhtar	·····
36. 1326/2022 Mrs. Shahida Parveen	35.	1325/2022	Mrs. Rizwana	
	36.	1326/2022	Mrs. Shahida Parveen	

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Learned counsel for the appellants present. Mr. Shafi Ullah, Focal 2. Person and Mr. Niaz Muhammad, Senior Clerk alongwith Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present. Prayer of all the appellants in these cases is the same, that on 3. acceptance of these appeals, the respondents might be directed to allow/grant conveyance allowance at par with colleagues of other districts of the Lady Health Workers with all back benefits.

Learned counsel for the appellant produced copies of some pay 4. slips of different Districts, wherein, the civil servants of the same posts were getting conveyance allowance under the Account Head 1210. The learned Deputy District Attorney was confronted with the same. However, a consensus was developed that let the matter be remitted to the respondents to look into the case of the appellants by comparing the same with the pay slips which are placed on file today and extend similar treatment if the other similarly placed civil servants are getting that and if not, a detailed order shall be passed within 60 days. Disposed of accordingly. Consign.

Pronounced in open court at Peshawar and given under our 3. hands and seal of the Tribunal on this 16th day of May, 2024.

TESTER Tribuant and

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(Rashida Bano) Member (Judicial)

(Kalim Arshad Khan)

Chairman

Date of Presentation of Application. Number of Words. Copying Fee Urgent Total Name of Copy Date of Complection of Copy D Date of Delivery of Copy



## The Director General health,

Khyber Pakhtunkhwa, Peshawar.

Subject: application for implementation of the order date 16.05.2024 of the Service Tribunal.

#### **Respected sir**,

Respectfully sir, I had filed service appeal before the service tribunal appeal no. 1265/2022 which is decided as the "Learned Counsel for the Appellant produced copies of some pay slips of different Districts, wherein, the Civil Servants of same posts were getting conveyance allowance under the Account Head 1210. The Learned Deputy District Attorney was confronted with the same. However, a consensus was developed that lef the matter be remitted to the Respondents to look into case of Appellants by comparing the same with the pay slips which are placed on file today and extend similar treatment if the other similarly placed Civil Servants are getting that and if not, a detailed Order shall be passed within 60 days. Disposed off accordingly.

But till dated no order is passed by the health department and other districts are taking conveyance allowance i.e ladv health workers.

So it requested you sir, please grant us conveyance allowance being similarly placed employee as other district lady health workers are taking conveyance allowance.

> APPLICANT Farzana Begum W/O Saeed Ur Rehman

> Lady Health Worker, BHU GMK khel Karak.

Τo,